

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA**

D.G., by Next Friend G., Gail Stricklin, et  
al.,

Plaintiffs,

vs.

C. BRAD HENRY, in his official capacity  
as Governor of the State of Oklahoma,  
et al.,

Defendants.

Case No. 08-CV-74-GKF-FHM

**OPINION AND ORDER**

Plaintiffs' Motion to Compel [Dkt. 314] is before the Court for decision. Defendants have filed a response [Dkt. 319] and Plaintiffs have filed a reply [Dkt. 323].

The motion focuses to a large extent on the permissible scope of discovery in light of the Court's stay of class wide discovery pending a decision by the Tenth Circuit Court of Appeals regarding the order certifying this case as a class action.

On February 8, 2010, the Tenth Circuit affirmed the order certifying the case as a class action. Given the changed posture of the case, the Court DENIES Plaintiffs' Motion to Compel [Dkt. 314] without prejudice to refiling if necessary after the parties have met and conferred in light of the decision by the Tenth Circuit.

SO ORDERED this 24th day of March, 2010.

  
**FRANK H. McCARTHY**  
UNITED STATES MAGISTRATE JUDGE